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In re Application of:  
Warren et al.  
Serial No.: 09/813,463  
Filed: March 20, 2001  
Attorney Docket No.: 098810/0278740

DECISION ON PETITION TO  
WITHDRAW THE HOLDING  
OF ABANDONMENT

This is in response to applicants' petition under 37 CFR. § 1.181(a) and MPEP 711.03(c) filed on May 24, 2004, requesting withdrawal of the holding of abandonment based on the timely filing of a response to the Office action mailed May 29, 2003.

A review of the file history shows that the examiner mailed a Office action to applicants on May 29, 2003, setting a three month statutory time period for reply. On April 22, 2004 the examiner mailed a notice of abandonment for failure to respond to the outstanding Office action.

Applicants state that a response to the Office action and a petition for a three- month extension of time were timely filed on December 1, 2003, as evidenced by the properly executed Certificate of First Class Mailing on the reply. Applicants provide copies of relevant documents. The petition meets all of the requirements set forth in 37 CFR § 1.8. In view of this evidence, applicants are considered to have submitted a timely reply.

Applicants' petition is **GRANTED** retroactively as the case is no longer in abandoned status.

Should there be any questions about this decision, please contact Marianne C. Seidel by letter addressed to Director, TC 1600, at the address listed above, or by telephone at 571-272-0584 or by facsimile at 703-872-9306.

Bruce Kisliuk  
Director, Technology Center 1600